

Town Of Superior Council Meeting Minutes October 15, 2009

Call to Order

Vice Mayor Lopez called meeting to order at 7:02 p.m. Thursday October 15, 2009

Salute To the Flag

Vice Mayor Lopez led council members, staff and audience in the salute to the flag.

Opening Prayer

No opening prayer was given.

Roll Call

Present: Vice Mayor Lopez, Councilmember Gutierrez, Councilmember Pfohl, Councilmember Heglie.

Absent: Mayor Hing, Councilmember Aguilar, and Councilmember Peralta.

Consent Agenda

Approval of Minutes for Regular Meeting of October 1, 2009: Councilmember Heglie had a correction regarding the name of Bill Lester in regards to the IGA. No other corrections or questions were brought forward.

Disbursement for the Month of September 2009: There was no comments by council members.

Let's Talk Trash Request for 3 Dumpsters for Clean Up on November 7, 2009:

Question was raised, was this normal for the town to provide dumpsters? Town Manager replied, yes this was a normal request.

Permit for Jr. High Football Team Fund Raiser:

Jr. High football Team is trying to raise money for their uniforms, No further discussion on items.

Motion to accept and approve the consent agenda made by Councilmember Phofl.

2nd by Councilmember Heglie. Vote taken 4 yes votes/ 0 nays.

Motion passed unanimously.

Communication

Manager's Report – Town Manager, Melanie Oliver: Ms. Oliver read the resignation of the Finance Director. Resignation was to be effective on October 29, 2009 due to class

schedule she must move it up to October 23, 2009. Offered her assistance in the meantime. Town Manager sated she has opened up the position for the Finance Director as of today and will close on November 5, 2009. It will be a part time position and one of the requirements will be must be a CPA. She is planning on opening on Monday an accounts payable that will also be a part time position.

Business

Discuss/ approve/ Reject: Resolution 507 authorizing the intergovernmental agreement with the Arizona Department of Transportation concerning the purchase of motor vehicle fuel. Town Manager, Melanie Oliver: ADOT has an agreement with the town to use their fueling station that is located on the west side of Main Street. Each department is given a card to use which is available 24 hrs a day. This is not a new service or agreement, ADOT has had this agreement with the town for quite a while and it is time to renew the agreement.

Motion to approve intergovernmental agreement with ADOT made by Councilmember Heglie.

2nd by councilmember Phofl.

Motion passed unanimously

Discuss/ Approve/ Reject: Amendment to Refuse Collection and Disposal Contract with Allied Waste – Town Manager, Melanie Oliver. Staff recommends the approval of the contract. The contract will run for 5 years, which was to begin April 1, 2008 and end July 31, 2013. They intend on providing new cans for the town. They will be picking up all old cans and this will help to eliminate the extra cans that some residents have and are not paying for. They also intend to do a pilot program with recycling bins and they will take that to a near by recycling plant and if the recycling is usable and is not a bad batch they will look at going to curb side. It will be very education able so when we do go to curb side residents will know what is and isn't recyclable. After several minutes of discussion a motion was made.

Motion to approve Amendment to Refuse Collection and Disposal contract with Allied Waste was by Councilmember Heglie.

2nd by Vice Mayor Lopez

Motion passed unanimously

Discuss/ Approve/ Reject: Proceeding with a lot split, placing and advertising town properties for sale - Town Manager, Melanie Oliver. Ms. Oliver proceeded to read the properties listed for sale and stated that it is now under the direction of the council which way to go. Discussion in regards to the Senior Center and the thrift store and all of the pertinent information will be given to each councilmember. This is just to approve the sale of the properties in question. Ms. Oliver shared with the council, staff and the audience a conversation she had with a gentleman that showed some interest in the Magma Club. She is aware that this property is not for sale, she just wanted to share what the conversation was about. He like the Magma Club and thought it would make a great

convention center and maybe a hotel with the property surrounding the Magma Club. Question regarding the residents and the surrounding area. She reminded the council that this was just a conversation and hadn't given it much thought since this is not one of the buildings up for sale. Now, there are 4 buildings ready to be put up for sale.

Motion to approve the sale of the town properties 1-4 and the lot split for the Senior Center and the thrift store made by Councilmember Heglie

2nd by Councilmember Gutierrez

Motion passed unanimously

Discuss/ Approve/ Reject: Changing the hours of operation for the Town Hall to open 5 days a week from 8:00am to 5:00pm and to be effective October 16, 2009- Town Manager, Melanie Oliver. Public works has gone to 5 days a week already. The Town Hall staff will be given the option to continue with the 4/10's and stagger the days off so that the office is open 5 days a week or to go back to 5 / 8 hour days.

Motion to approve changing the hours of operation made by Councilmember Pfohl

2nd by Councilmember Gutierrez

Motion passed unanimously

Discuss/ Approve/ Reject: Ordinance Number 108 authorizing the Town Mayor or the Town Manager to execute an assignment and assumption of declarant's corporation, pertaining to the Superior Industrial Park; assuming and accepting all of the rights, duties and obligations of the declaring under that certain first amended and restated declaration of covenants, conditions and restrictions for Superior Industrial Property dated as of October 6, 1999; declaring an emergency – Town Manager, Melanie Oliver. 2nd reading, after a recap of the ordinance a motion was made.

Motion by Councilmember Hugli to approve Ordinance 108

2nd by Councilmember Gutierrez

Motion passed unanimously – Vote 4 yes, 0 no's

Discuss/ Approve/ Reject: A fee increase for cemetery plots, open and close and town services – Town Manager, Melanie Oliver. Review of work session regarding the fee increases.

Plot Purchase:

Resident fee from \$225.00 to \$500.00 Non residents \$300.00 to \$1000.00

Open and Close:

Resident fee from \$200.00 to \$400.00 Non resident \$300.00 to \$800.00

Weekend Fee:

Resident and Non Resident will pay the open/close fee plus \$200.00

Hand digging Plot:

Resident and Non Resident will pay the open/close fee plus \$200.00

Notary Fee: \$5.00

Alcohol Permit/ Public Place: \$50.00

Special Use Permit Park: \$25.00

Green Waste Resident Pick Up: \$20.00

Discussion in regards to making sure that the price increase is enough to cover the town expenses for weekend staff.

Will be giving a 30 day notice for plot purchases and the other fees will go into effect October 16, 2009

Motion by Councilmember Gutierrez to approve the fee increase and to give resident a 30day notice for plot purchase increase and for all other fee increase's to take effect immediately.

2nd by Councilmember Heglie

Motion passed unanimously

Call to the Public

Kathleen Garza: Was nominated by the kids to come and speak on their behalf regarding the closing the recreation hall. She is also concerned being a mother and a grandmother; we are trying to keep the kids off the street and out of trouble. Isn't there another place where they can play, they do jump rope, karaoke. Is there anything that council can do for them or another place that can be provided for their activities, they are very sad and she is very concerned as to where will they be able to go.

Another thing is that there is now a Girl Scott Troup in Superior. She is the leader; they have 8 members so far. They are trying to recruit; right now they are trying to raise money for the troop. Her daughter donated \$200.00 of her own money to get the material for the crafts for the group. They are selling candy right now to increase the fund. They have already gotten they two of the badges, they got their hiking badge for hiking up to the "S". They also went to the fire house on Saturday. Doug Williams did a great presentation of the Fire House and the equipment so they earned their safety badge for that. She just wanted to make the town aware of the Girl Scout Troup. They will also be selling cookies in February and March here in Superior.

Bill Holmquist: He is here to talk about Dr. Wilt. He was supposed to be in court today, his pre trial was in August. Some how it went from February to August and then got a 60 day extension. Tuesday or Monday Judge Bravo allowed him an additional 30 days so he wasn't in court today. He pleaded with the councilmember's that they need to show that they are united and that they are not going to allow him to continue this way. They need to make an effort to be in court all of them. The Town of Globe officials are at every hearing to let Dr. Wilt know they are not going to allow him to continue as he has in the past. Encouraged all council, staff and residents to attend the hearings. Get everybody on the same page. This has been going on for two long, since 1996 we need to try to educate everybody. We need to get this code ordinance thru, the police and fire are doing their job but we need to get the new code ordinance in place. He keep investing into his buildings, he keeps working hard to make them look good. He was very discouraged to hear that he went and pushed from 30 days to 60 day delay. He is here to help in any way, to educate

the town but we need to make sure we educate Judge Bravo about the whole situation and how long this has been going on.

Richard Green: I sorry that the rest of the council members cannot make it to a meeting. What I was going to say pertains to two than it does to two of the new ones. I got the agenda for this week and I went over the print out for the towns finances. Seem to me we just write checks in this town because we have checks. There was over \$78000.00 of voided checks in this report when I got to reading this report I couldn't believe it so I went back and asked for the bank statement, and then when I read the bank statements I was flabbergasted. There was up to a low balance of -\$34000.00 in our account. You talk about raising the price to open and shut a grave that is minor stuff to what the town has been doing. I get here a Miller, Allen & Company, I guess he is a public account, \$2550.00, I know what it is for it's for this. I wish the other council members were present, I don't blame the employees I blame the council. He asked for a copy of the audit and they gave me a draft from a year ago. The audit is a year late. Are we doing the audit right now it was due at the end of the month? Probably not, that is why we have this public accountant to see if we can have the audit. I can't believe it, then we act like oh, someone is leaving and isn't that wonderful. When I ran for council I didn't expect to win but I wanted to prove a point and I did and I will do it again. It doesn't take a gang of 9 it takes one, we need to open this up and let the people know what is going on. I am ashamed of it.

Pam Rabago: I am actually here to talk about let's talk trash. I thank you for approving the 3 roll offs. Did want to let you know that Done Rite Disposal usually charges \$500-\$600.00 per roll off, for us they cut it to \$220.00 per roll off and just wanted to let you know that. There is a company that is giving back to the community; they see that there is a lot work being put in by the community so they are giving back. Also, regarding Dr. Wilt. I don't know that we need to impose more fines but I think if we hit him with higher fines we possible get some where. We need to hit him with a fine not a little one but a BIG one hit him where it hurts in his pocket maybe he will do something.

Executive Session

No business for the executive session.

Council Comments

Councilmember Gutierrez: Have heard a lot interesting things tonight. I want to start off with Mr. Holmquist, just want to thank you for all of the effort you have done on Main St. He puts his money where his mouth is. He should have the key to the city. I will make every effort. I am gradually coming up to speed on the financial aspect. I agree for the most part what Mr. Green is saying, I appreciate that kind of input because without that kind of input coming from the citizens. This packet that you have is something that I would like to see. I was expecting to see a report from the CPA that is what I was expecting to see. Regarding the recreation center, we are not giving up on the kids.

Sometimes we have to make those hard discussions. Thank you for being an advocate for the kids.

Councilmember Pfohl: I too have many concerns; I would like to confirm what Mr. Gutierrez has said and go a step further. Recommend we to council or Town Manager or how ever we need to do this is to talk to Judge Bravo since he is an employee of the Town, Mr. Beers interrupted stating you cannot discuss anything that is on the books and before you take that step I would like to address this with you. You need to hear more than Mr. Holmquist. We can not even be discussing. Speaking of the agenda, we need to have a little more. For example the managers report we need to be able to discuss items. We need to keep the town aware of what is going on. It is quite evident that there are issues with the finances. We were elected by the town and we need to keep them informed. Where are we at with account payables? Have we been in contact with the vendors or are we just letting them sitting there waiting for payment. Issues with employees not satisfied with how things are being handled or not being fair. I am really taken back with regard to our finances. Now that he is in office he does not want it on his watch. He would like to have a report of the account payables to see where we are at 30, 60, 90 days past due.

Councilmember Heglie: Wants to encourage everybody to attend the “Dia De Colores” art festival. He found out that there is a rock bank in Germany called the Magma Hotel. He looked them up in the web and they have a picture of the Magma Hotel on the cover of their CD.

Vice Mayor Lopez: She appreciates the comments from Mr. Holmquist and she will try her best to get in their and support. Thank you for your comments. Recreation, she has grandchildren that participate and she understands that the kids don’t want to loose this but times are hard. There will be some changes down the line but we do need to see what can be done and figure out what we can do maybe do something different. Congratulated Mrs. Garza for the new program, Girl Scouts, thanks for volunteering. It is a good program for the girls. There are problems with the finances. We are looking at this and trying to get a handle of it. Last comment, the services for Mrs. Bingochea will be Monday at 10:00 am at St. Francis Church.

Motion to adjourn made by Councilmember Heglie

2nd by Councilmember Pfohl

Motion passed unanimously

Meeting adjourned at 8:23pm

Minutes compiled by: Nora Miramon – Deputy Town Clerk
Reviewed by: Melanie Oliver – Town Manager